



07-02-02

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PATENT  
Attorney Docket No. 13726US01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Grant L. Schoenhard )  
Serial No.: 10/000,107 )  
Filing Date: October 30, 2001 ) **EXPRESS MAIL NO. EV 105517196 US**  
For: Inhibitors of ABC Drug Transporters )  
in Multidrug Resistant Microbial ) **DATE OF MAILING: June 28, 2002**  
Cells )  
Group Art Unit No.: 1614 )

**TRANSMITTAL LETTER**

Commissioner for Patents  
Washington, D.C. 20231  
Attention: Box Missing Parts

Sir:

Transmitted herewith for appropriate action are the following:

1. Petition for a Four-month Extension of Time (including \$720 check);
2. A Response to the Notice To File Missing Parts of Nonprovisional Application (including \$65 check);
3. A copy of the Notice To File Missing Parts of Nonprovisional Application, dated December 28, 2001;
4. An executed Declaration for Patent Application and Power of Attorney; and
6. One return postcard.

The Commissioner is hereby authorized to charge any fees which may be required to Deposit Account No. 13-0017 in the name of McAndrews, Held & Malloy, Ltd.

Respectfully submitted,

Janet M. McNicholas  
Janet M. McNicholas, Ph.D.  
Registration No. 32,918

Dated: June 28, 2002  
  
McAndrews, Held & Malloy, Ltd.  
500 West Madison Street  
Suite 3400  
Chicago, Illinois 60661  
(312) 775-8000  
(312) 775-8100 (Facsimile)



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**RESPONSE TO THE NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL  
APPLICATION**

Commissioner for Patents  
Washington, D.C. 20231  
Attention: Box Missing Parts

Sir:

This is in response to the Notice To File Missing Parts (the "Notice") dated December 28, 2001 in the above-identified application. This response is filed with the appropriate Petition for a Four-month Extension of Time.

In the Notice, the oath/declaration was identified as missing. Enclosed for filing herewith is an original executed Declaration and Power of Attorney.

In the Notice, a \$65 surcharge under 37 C.F.R. §1.16(e) is requested. If any additional fees are due, the Commissioner is hereby authorized to charge Account No. 13-0017 (McAndrews, Held & Malloy) for any fee deficiency, or credit any overpayment.

Respectfully submitted,

*Janet M. McNicholas*

Janet M. McNicholas, Ph.D.  
Registration No. 32,918

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500 West Madison Street  
Suite 3400  
Chicago, Illinois 60661  
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PATENT TRADEMARK OFFICE



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/000,107	10/30/2001	Grant L. Schoenhard	PAIN-005/00US

23419  
 COOLEY GODWARD, LLP  
 3000 EL CAMINO REAL  
 5 PALO ALTO SQUARE  
 PALO ALTO, CA 94306



CONFIRMATION NO. 8970  
**FORMALITIES LETTER**



\*OC000000007240296\*

Date Mailed: 12/28/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

*A copy of this notice **MUST** be returned with the reply.*

*TM*

Customer Service Center  
 Initial Patent Examination Division (703) 308-1202  
 PART 2 - COPY TO BE RETURNED WITH RESPONSE

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